

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,
v.

Case No. 1:08-cv-907
Robert J. Jonker
United States District Judge

PEOPLEMARK, INC.,

Defendant.

MOTION TO DISMISS

Defendant Peplemark, Inc. (Peplemark) respectively moves to dismiss the Complaint filed herein because it does not meet the minimum pleading requirements under Rule 8 (a)(2) *Federal Rules of Civil Procedure* as interpreted by the United States Supreme Court in its recent decisions *Bell Atlantic Corp. v. Twombly*, 550 U.S. 554 (2007) and *Ashcroft v. Iqbal*, 129 S.Ct. 1937 (2009). In support of this motion, the court is respectfully referred to the Memorandum in Support of the Motion to Dismiss filed herein of even date.

WHEREFORE, Defendant Peplemark moves to dismiss the Complaint for the reasons stated herein.

Respectfully submitted,

s/Edward R. Young
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CERTIFICATE OF SERVICE

The undersigned certifies that on July 6, 2009, the foregoing Motion to Dismiss was served on the parties listed below via Electronic filing:

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